

REMARKS

The specification is amended to correct a reference numeral. Claims 1-3, 21, 22, and 26 are amended to define novel subject matter over the applied art, and Claims 7 and 27 are cancelled without prejudice. Claims 1-6, 8-26 and 28-30 remain, with no claim previously allowed.

All claims were rejected as being anticipated by *Nelson* (US 6,418,346). The applicant respectfully traverses this rejection as possibly applied to the amended claims.

Claim 1 now defines a portable diagnostic device comprising, among other elements, a diagnostic module configured for analyzing information received from an external source of information in a predetermined sequence configured to emulate a process for diagnosis by the portable diagnostic device. Dependent Claim 2 adds that the external source of information includes a WAP network, and that the diagnostic module analyzes information associated with elements of that network in a predetermined sequence. Claim 3 depends from Claim 2 and adds the limitations that the WAP network includes a mobile communication network in selective communication with a data network configured for communication with the mobile network and the internet, and that the microbrowser communicates with the WAP network, in the overall structural and functional combination of that claim.

Nelson, in contrast with the invention disclosed and claimed herein, discloses a wireless communication system used with implantable medical devices such as cardiac pacemakers. *Nelson's* system includes a programmer 20 for exchanging programming commands or data with an implanted medical device 10, and a personal data monitor 20' that can communicate with both the programmer 20 and the implantable device 10. The

programmer 20 may communicate with a remote data center 62 through a communications link.

However, *Nelson* does not disclose, alone or in the overall context of Claim 2, a diagnostic module for analyzing information from an external source in a predetermined sequence configured to emulate a process for diagnosis by the device. Indeed, it is not apparent that the personal data monitor 20' or programmer 20 of *Nelson* perform *any* diagnosis. The rejection cites column 2, lines 40-45 as disclosing "a diagnostic module configured for analyzing information...", but that passage states only that the personal data monitor (PDM) communicates with the diagnostic section of the implantable medical device to perform diagnosis-related data exchange with the implantable device. From a close reading of *Nelson*, it appears that the PDM 20' transfers medical data into and out of the programmer 20 and/or the implantable device 10 only in the unregulated non-medical environments of the implantable device (column 13, lines 17-23; column 13, lines 56-63), making that data available for diagnosis by others. *Nelson* thus discloses a medical devices to provide clinical therapy in real time through the exchange of pertinent data (column 14, lines 17-23), but a physician or another operator performs an actual *diagnosis* based on that data.

Accordingly, *Nelson* fails to anticipate a portable diagnostic device comprising the combination of elements now required by Claim 1.

Dependent Claim 2 adds that the diagnostic module analyzes information associated with elements of a WAP network in a predetermined sequence. *Nelson* clearly fails to disclose that limitation and, accordingly, does not anticipate Claim 2.

Independent apparatus Claim 21 and computer-readable medium Claim 22 each are revised to contain limitations similar to or paralleling those added by amendment to Claim 1 and discussed above. Accordingly, the applicant submits that Claims 21 and 22 are novel over *Nelson*.

Independent Claim 26 defines a method for troubleshooting a WAP network including, among other method elements, requesting information associated with an element of the WAP network, and analyzing the received information in a predetermined sequence to emulate a process for diagnosis of the WAP network element. Claim 26 thus defines a method finding no parallel or other anticipation in *Nelson*. The subject matter of that reference is very different from the method of Claim 26, as *Nelson* is not concerned at all with troubleshooting a communication network. Accordingly, Claim 26 and the claims depending therefrom are novel over *Nelson*.

The foregoing is submitted as a complete response to the Office action identified above. The applicant respectfully submits that this application is now in condition for allowance and solicits a notice to that effect.

Respectfully submitted,

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